

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No. 4:16CR0106 RLW
)
)
JAMES BOWEN,)
)
Defendant.)

MOTION TO STRIKE PRO SE FILINGS OF A REPRESENTED DEFENDANT

The United States of America, through undersigned counsel, opposes defendant's recent *pro se* filings, Doc. # 83 and 84, and moves to strike them. The defendant is represented by appointed counsel who continues to represent him in this matter. "There is no constitutional or statutory right to simultaneously proceed *pro se* and with the benefit of counsel." *United States v. Agofsky*, 20 F.3d 866, 872 (8th Cir. 1994); *see* 28 U.S. Section 1654. The undersigned attorney has been in communication with Mr. Bowen's attorney, Ethan Skaggs. Mr. Skaggs is working on Mr. Bowen's compassionate release and is awaiting records on the matter at this time. Mr. Bowen asked for counsel to be appointed to case and he needs to proceed forward with his counsel, not on his own.

Wherefore, the government moves to strike the pro se filings Docket No. #83 and #84 from the court docket.

Respectfully submitted,

SAYLER FLEMING
United States Attorney

/s/ Colleen C Lang
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CERTIFICATE OF SERVICE

I hereby certify that on February 3, 2021, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon all counsel of record and a copy will be mailed to the Defendant at Forest City Low FCI.

/s/ Colleen C. Lang
AUSA Colleen C. Lang #56872MO
Assistant United States Attorney